IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INCOME TAX APPEAL NO.302 OF 2001

Nitraj Properties Private Limited .. Appellant

v/s.

The Assistant Commissioner of
Income tax, Central Circle 36, Mumbai..Respondent

Ms.Rashida Sauliwala i/by M/s. Dh. Liladhar & Co.
for appellant.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 22nd November, 2004

P.C.

In the light of the order passed by the Income Tax Appellate Tribunal on 8th November, 2004 on the rectification application made by the assessee under section 254(2) of the Income Tax Act seeking rectification of the impugned order, we are satisfied that this appeal has become infructuous since the assessee's appeal ITA 4379/Mum/1997 is to be re-heard by the Tribunal as per the order dated 8th November, 2004.

2. Appeal is disposed of as infructuous.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)